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Return to:

Jerome F. Donohoe, Esq.
Counsel
Pine Canyon Land Co.
c/o Mayer, Brown & Platt
190 South LaSalle Street, Suite 3900
Chicago, Illinois 60663

RECORDED IN OFFICIAL RECORDS OF FRESNO COUNTY, CALIFORNIA	
AT 30	APRIL 1993 11A M
JUL 2 1993	
WILLIAM C. GREENWOOD County Recorder	FEE \$485-

DEED RESTRICTION AND NOTICE OF OBLIGATION

This Deed Restriction and Notice of Obligation ("Deed Restriction") is made as of the 28th day of June, 1993, by the Pine Canyon Land Company ("Owner"), which is the owner of record of certain real property, as more fully described in Exhibit A hereto, situated in the County of Fresno, State of California, incorporated herein by this reference (the "Property"), with reference to the following facts:

- A. The Property is the subject of a Consent Decree entered into by and between Owner and other defendants and the United States of America on behalf of the United States Environmental Protection Agency ("EPA") in Case No. F-92-5374 (OWN) in the United States District Court for the Eastern District of California ("Consent Decree").
- B. A certified copy of the Consent Decree is attached to be recorded as part of the Deed Restriction.
- C. Owner is obligated, pursuant to Paragraph II.F of Appendix B to the Consent Decree, to file with the County Recorder's Office in Fresno, California, a deed restriction prohibiting anyone in possession of the Property from taking any actions that would interfere with the implementation of the remedy constructed pursuant to the Consent Decree.
- D. Owner is obligated, pursuant to Paragraph VI.B of the Consent Decree, to record a notice of obligation to provide access to the United States, EPA, the State, and their representatives.

FRESNO COUNTY RECORDERS OFFICE

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NOW, THEREFORE, in accordance with the terms of the Consent Decree, Owner records this Deed Restriction and Notice of Obligation. Anyone in possession of the Property shall be prohibited by the Consent Decree or otherwise under law from taking any actions that would interfere with the implementation of the remedy constructed pursuant to this Consent Decree. The Owner shall, during the effective period of the Consent Decree, provide access to the Site to the United States, EPA, the State, and their representatives.

IN WITNESS WHEREOF, the undersigned executes this Deed Restriction on behalf of Owner as of the date first set forth above.

PINE CANYON LAND COMPANY

By: Jerome F. Donohoe
Jerome F. Donohoe

Title: Counsel, Pine Canyon Land Co.

Date: June 28, 1993

STATE OF ILLINOIS)

COUNTY OF COOK)

On JUNE 28, 1993, before me, the undersigned, a Notary Public in and for said State of Illinois, personally appeared Jerome F. Donohoe, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as Counsel of Pine Canyon Land Company, the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same pursuant to authority contained in its bylaws or a resolution of its board of directors.

WITNESS my hand and official seal.

LaVerne BelligioMy commission expires December 24, 1994